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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/571,184	07/17/2006	David Morton	478.1077	9629
23280 7590 03/10/2011 Davidson, Davidson & Kappel, LLC 485 7th Avenue 14th Floor New York, NY 10018				
EXAMINER OLSON, ERIC				
ART UNIT		PAPER NUMBER		
1623				
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The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10571184	7/17/2006	MORTON ET AL.	478.1077

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EXAMINER

ERIC OLSON

ART UNIT	PAPER
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1623

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Commissioner for Patents

Applicant's information disclosure statement, submitted February 17, 2011, and the enclosed references, have been fully considered and not found to be the basis for any new grounds of rejection against the claims as previously allowed in the notice of allowance submitted January 4, 2011.

The information disclosure statement contains two correspondences from foreign patent offices. Both documents present grounds of rejection against claims in related applications filed by the Applicant. However, neither document addresses the limitation in the previously allowed claims requiring that the composition used in the claimed method contain 2% w/w or more of leucine. As discussed in the notice of allowance submitted January 4, 2011, Applicant has disclosed that the combination of heparin and 2% or more of leucine, as required by the present claims, produces an unexpected improvement in the fine particle fraction of the composition, thereby overcoming any prima facie case of obviousness previously made in this application for adding 2% or more of leucine to such a composition. As discussed previously, because this effect is specific to the combination of heparin and leucine, references such as WO01/32144, which are generic to a large number of active agents, with no specific teaching of combining heparin and leucine, do not render the claims obvious.

/Eric S Olson/  
Primary Examiner, Art Unit 1623